



State of Kansas

Mike Hayden, Governor

Department of Health and Environment Division of Environment

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PRMT-SECTION

Respond to: (913) 296-1430

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October 22, 1990

Mr. Mark Matthews
RCRA Permit Section
U.S. Environmental Protection Agency Region VII
726 Minnesota Avenue
Kansas City, Kansas 66101

Re: Hydrocarbon Recyclers RFA
Wichita, Kansas
EPA I.D. Number KSD007246846

Dear Mr. Matthews:

The Kansas Department of Health and Environment has reviewed the draft RCRA Facility Assessment report for Hydrocarbon Recyclers, Inc. in Wichita, Kansas. We have the following comments:

1. KDHE would like to note for EPA's information that Buildings I and J at HRI's facility were given interim status for the storage of hazardous waste in August 1990. At the time the VSI was being conducted, it was unclear where these two buildings fit into the hazardous waste management operations being conducted by HRI. They are now considered to be a part of the HRI facility.
2. Page 3-3 of the report states in Section 3.2 that HRI is conducting, among other activities, disposal of hazardous wastes. This is incorrect; the Wichita facility has interim status for storage and treatment activities only. To our knowledge, HRI has never conducted hazardous waste disposal activities on-site.
3. Item 1 contained in Table 5-1, Process Area Storage Tanks, appears to recommend that HRI perform ultrasonic thickness testing on the piping associated with these tanks. KDHE would like to point out that this type of testing is not required to be conducted by either 40 CFR 264 or 265 Subpart J standards. Therefore, it is not anticipated that this activity will be a requirement of HRI's RCRA operating permit.



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RCRA Records Center

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4. Item 7 contained in Table 5-1, Elevated Tanks Storage Area, recommends that secondary containment be provided for the tank piping being discussed. KDHE would like to point out that secondary containment is not required for piping if the conditions of 40 CFR 265.193(f) are met. KDHE will be conducting a detailed review of these tank systems as part of the Part B review. If the conditions of 264.193(f) are met, it is anticipated that secondary containment for this piping will not be a requirement of HRI's RCRA operating permit.
5. It is recommended in Table 5-1 that the areas discussed as items 15 and 16 be provided with secondary containment. KDHE believes at the present time that HRI meets 40 CFR 265 Subpart I secondary containment requirements for interim status container storage areas. For those units storing solid hazardous wastes that meet the requirements of 40 CFR 264.175(c), there is no regulatory requirement for secondary containment. This will be taken into account when reviewing HRI's Part B permit application. HRI, however, has indicated that they will be providing secondary containment for these two areas before the issuance of a RCRA operating permit.
6. Table 5-1 contains recommendations that KDHE require a closure plan for items 21 through 23 - buildings I and J and the open area north of Building I. KDHE believes that in order to have the authority to require a closure plan for these areas under 40 CFR 265, these areas would need to have been previously regulated as interim status hazardous waste management units. While Buildings I and J did recently gain interim status as storage units, the area north of Building I has not been granted interim status according to our records. During the time these areas were used for the distillation of waste solvents, approximately 1981-mid 1985, these areas were not considered to be regulated as hazardous waste storage or treatment areas. The actual distillation activities conducted were exempt from being regulated as treatment and the wastes being recycled through these units were also exempt at that time from regulation as hazardous wastes due to the fact that they were being recycled. Therefore, KDHE believes that it would be more appropriate for EPA to conduct any additional investigative or remedial activities deemed necessary in these three areas under corrective action authority.

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KDHE appreciates the opportunity to review and comment on the draft RFA report for the HRI facility. Should you have any questions concerning these comments please call me at (913) 296-1612.

Sincerely,

Brenda Clark

Brenda Clark
Environmental Engineer
Hazardous Waste Section
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C Teresa Hansen

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